

FILED

NOV 02 2021

U.S. DISTRICT COURT-WVND
CLARKSBURG, WV 26301

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA,

v.

CALEB ANDREW BEVERLY,

Defendant.

Criminal No. 2:21-CR-34 TSK/MJA

Violations: 18 U.S.C. § 922(a)(6)
18 U.S.C. § 922(g)(3)
18 U.S.C. § 924(a)(2)

INDICTMENT

The Grand Jury charges that:

COUNT ONE

(False Statement in Connection with the Acquisition of a Firearm)

On or about May 29, 2020, in Barbour County, in the Northern District of West Virginia, defendant **CALEB ANDREW BEVERLY**, in connection with the attempted acquisition of a firearm, that is a Hi Point, model 4595, .45 caliber rifle, serial number 173841M, from a licensed dealer of firearms, did knowingly make a false written statement that was intended and likely to deceive such dealer with respect to a fact material to the lawfulness of the sale of such firearm, that is the defendant **CALEB ANDREW BEVERLY** checked the box “no” to the question “Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance” on question 11e of the Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives form 4473, Firearms Transaction Record, and there below did sign his name certifying that his answers on the form were true, knowing that his said answer was false; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT TWO

(Unlawful Possession of a Firearm)

On or about June 9, 2020, in Barbour County, in the Northern District of West Virginia, defendant **CALEB ANDREW BEVERLY**, knowing that he was an unlawful user of and addicted to a controlled substance, that is methamphetamine, a Schedule II controlled substance, did knowingly possess in and affecting interstate commerce firearms, to wit: a High Point, model 4595, .45 caliber rifle, serial number R58505, and an Arms Corporation of the Philippines (Armscorp), model 16, .22 caliber rifle, serial number A614948, in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

COUNT THREE

(Unlawful Possession of a Firearm)

On or about November 12, 2020, in Barbour County, in the Northern District of West Virginia, defendant **CALEB ANDREW BEVERLY**, knowing that he was an unlawful user of and addicted to a controlled substance, that is methamphetamine, a Schedule II controlled substance, did knowingly possess in and affecting interstate commerce firearms, to wit: a Raven Arms, model MP-25, .25 caliber semi-automatic pistol, serial number 896320, and a Sundance Industries, Inc., model BOA, .25 caliber semi-automatic pistol, serial number 026070, in violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

FORFEITURE ALLEGATION

Gun Control Act

Pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d)(1), the government will seek the forfeiture of any firearm and any ammunition involved in or used in any knowing violation of Title 18, United States Code, Section 922(g) including:

- 1) A High Point, model 4595, .45 caliber rifle, serial number R58505;
- 2) An Arms Corporation of the Philippines (Armscorp), model 16, .22 caliber rifle, serial number A614948;
- 3) One Hundred Fifty-two (152) rounds of assorted ammunition;
- 4) A Raven Arms, model MP-25, .25 caliber semi-automatic pistol, serial number 896320;
- 5) A Sundance Industries, Inc., model BOA, .25 caliber semi-automatic pistol, serial number 026070; and
- 6) Assorted firearm parts.

A true bill,

/s/
Foreperson

/s/
WILLIAM J. IHLENFELD, II
United States Attorney

Brandon S. Flower
Assistant United States Attorney